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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

5 POST OFFICE SQUARE, SUITE 100

BOSTON, MA 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

AUG 24 2011

James A. Keaney, Jr.
Director of Capital Projects
City of Hartford
Department of Public Works
525 Main Street
Hartford, Connecticut 06103

Re: PCB Cleanup and Disposal Approval under 40 CFR §§ 761.61(a)
and 761.79(h)
M.D. Fox School
Hartford, Connecticut

Dear Mr. Keaney:

This is in response to the Hartford School Building Committee (HSBC) Notification¹ for approval of a proposed PCB cleanup for one (1) window located at the M.D. Fox School (the Site) located at 470 Maple Avenue, Hartford, Connecticut. The Site contains PCB caulk that exceeds the allowable PCB levels under the federal PCB regulations at 40 CFR § 761.20(a) and § 761.62.

In its Notification, HSBC has proposed the following PCB cleanup and disposal plan:

- Remove and dispose of PCB caulk in a TSCA-approved or RCRA hazardous waste landfill
- Remove and dispose of *porous surfaces* (i.e., brick and mortar) if verification samples of these materials are greater than (>) 1 part per million (ppm) PCBs, as a greater than or equal to (\geq) 50 ppm PCB waste in a TSCA-approved or RCRA hazardous waste landfill

HSBC has determined that certain caulks and glazing which have PCB concentrations at less than (<) 50 ppm, meet the criteria for an *Excluded PCB Product* under § 761.3. Under the PCB

¹ The notification was prepared by TRC on behalf of the City of Hartford School Building Committee to satisfy the notification requirement under 40 CFR § 761.61(a)(3). Information was submitted dated May 9, 2011 (Self-Implementing On-Site Cleanup and Disposal Plan (SIDP)); and July 25, 2011 and August 8, 2011 (Email Responses to Comments). These submittals shall be referred to as the "Notification".

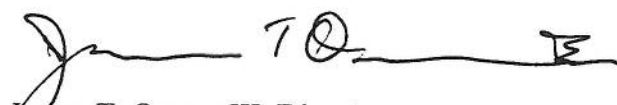
regulations, *Excluded PCB Products* are authorized for use and thus there is no requirement for removal of the caulk or decontamination of surfaces that are in contact with the < 50 ppm caulk. While these building materials are not addressed in the Approval, HSBC is proposing to remove the PCB products containing PCBs with > 1 ppm.

Based on EPA's review, the information provided in the Notification meets the requirements under 40 CFR §§ 761.61, 761.62, and 761.79(h) for removal and disposal of *PCB bulk product waste* and for decontamination of *porous surfaces*. Further, the proposed decontamination and disposal activities are consistent with the requirements and standards established under § 761.61(a), § 761.62, § 761.79 for similar types of PCB-contaminated materials.

HSBC may proceed with its cleanup in accordance with 40 CFR § 761.61(a); § 761.62; § 761.79(h); its Notification; and this Approval, subject to the conditions of Attachment 1.

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,



James T. Owens III, Director
Office of Site Remediation & Restoration

cc: Stephen Arienti, TRC
Gary Trombly, CTDEEP
File w/ Attachment 2

Attachment 1 – PCB Approval Conditions

Attachment 2 – *Standard Operating Procedure For Sampling Porous Surfaces For Polychlorinated Biphenyls (PCBs), Rev. 4, May 5, 2011*

ATTACHMENT 1

PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS
M.D. FOX SCHOOL ("the Site")
470 MAPLE AVENUE, HARTFORD, CONNECTICUT

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to the *PCB bulk product waste* and the *PCB remediation waste* located at the Site and identified in the Notification.
2. The Hartford School Building Committee (HSBC) shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.
5. HSBC must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, HSBC shall contact EPA within 24 hours for direction on PCB cleanup and sampling requirements.
6. HSBC is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time HSBC has or receives information indicating that HSBC or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.
7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by HSBC are authorized to conduct the activities set forth in the Notification. HSBC is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.
8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release HSBC from compliance with any applicable requirements of federal, state or local law; or 3) release HSBC from liability for, or otherwise resolve, any violations of federal, state or local law.

NOTIFICATION AND CERTIFICATION CONDITIONS

9. This Approval may be revoked if the EPA does not receive written notification from HSBC of its acceptance of the conditions of this Approval within 10 business days of receipt.
10. HSBC shall submit the following information for EPA review and/or approval:
 - a. a certification signed by its selected contractor, stating that the contractor(s) has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;
 - b. a contractor work plan, prepared and submitted by the selected demolition or abatement contractor(s) describing the containment that will be employed during abatement activities. This work plan should also include information on how and where wastes will be stored and disposed of, and on how field equipment will be decontaminated; and,
 - c. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the extraction and analytical methods and quality assurance requirements specified in the Notification and in this Approval.

REMEDIAL and DISPOSAL CONDITIONS

11. To the maximum extent practical, engineering controls, such as barriers, and removal techniques, such as the use of HEPA ventilated tools, shall be utilized during removal processes. In addition, to the maximum extent possible, disposable equipment and materials, including PPE, will be used to reduce the amount of decontamination necessary.
12. PCB-contaminated materials shall be decontaminated and confirmatory sampling and analysis shall be conducted as described below:
 - a. All visible residues of PCB caulk (i.e. *PCB bulk product waste*) shall be removed as described in the Notification.
 - b. The cleanup standard for *porous surfaces* (e.g., brick) shall be less than or equal to (\leq) 1 part per million (ppm).
 - c. All post-cleanup verification sampling for *porous surfaces* shall be performed on a bulk basis (i.e., mg/kg) and reported as a dry weight analysis. Verification sampling for *porous surfaces* shall be conducted in accordance with the EPA Region 1 *Standard Operating Procedure For Sampling Porous Surfaces for Polychlorinated Biphenyls (PCBs) Revision 4, May 5, 2011*, at a maximum depth interval of 0.5 inches, and in accordance with the frequency specified in Subpart O.

- d. Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction/analytical method(s) is validated according to Subpart Q.
13. All PCB waste (regardless of concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with § 761.40; stored in a manner prescribed in § 761.65; and, disposed of in accordance with 40 CFR § 761.61(a)(5) or § 761.62, unless otherwise specified below:
- a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g).
 - b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).
 - c. PCB-contaminated water generated during decontamination or dewatering shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

- 14. HSBC shall allow any authorized representative of the Administrator of the EPA to inspect the Site and to inspect records and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by HSBC to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.
- 15. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).
- 16. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
- 17. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

RECORDKEEPING AND REPORTING CONDITIONS

18. HSBC shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the decontamination and the analytical sampling shall be established and maintained by HSBC in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection to authorized representatives of EPA.
19. HSBC shall submit a final report to the EPA within 60 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the project activities; characterization and confirmation sampling analytical results, including indoor air sampling results; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of and the size of the decontaminated area(s); copies of manifests; and, copies of certificates of disposal or similar certifications issued by the disposer.
20. Required submittals shall be mailed to:

Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527
21. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

END OF ATTACHMENT 1